

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of July, 1979, that the herein Petition for a Variance to permit a rear yard setback of 24 feet in lieu of the required 40 feet should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The proposed garage is to be constructed in the same architectural style and materials as the existing house.
2. Site plan approval by the Department of Public Works and the Office of Planning and Zoning.

Deputy *John M. H. Jones*
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
Zoning Commissioner
TO: John D. Seyffert, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition #80-16-A, Item #218 Petition for Variance for rear yard setback
West side of Ruxlea Court, 230' North of Ruxton Road
Petitioner - John C. Bergman, et ux

9th District

HEARING: Tuesday, July 24, 1979 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Thomas L. Hennessey, Esquire
407 West Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 12th day of June, 1979

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner John C. Bergman, et ux
Petitioner's Attorney Hennessey, Esq.

Reviewed by *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 11, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Thomas L. Hennessey, Esquire
407 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 218
Petitioners - John C. Bergman, et ux
Variance Petition

Dear Mr. Hennessey:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your clients' proposal to construct a garage addition to the rear of the existing dwelling within 24' of the rear property line in lieu of the required 40', this Variance is required. An amendment to the approved final development plan of Ruxton Woods to allow this construction outside of the allowable building envelope has been approved and further processing is being withheld pending the outcome of this petition.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:mr

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

June 12, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #218 (1978-1979)
Property Owner: John C. & Marilyn A. Bergman
W/S Ruxlea Ct. 230' N. Ruxton Rd.
Existing Zoning: DR 2
Proposed Zoning: Variance to permit a rear setback of 24' in lieu of the required 40'.
Acres: 0.2984 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement #97402, executed in conjunction with the development of "Ruxton Woods", of which this property is Lot 10, as recorded E.H.K., Jr. 37, Folio 83.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #218 (1978-1979).

Very truly yours,
Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

O-NE Key Sheet

38 NW 6 Pos. Sheet

NW 10B Topo

69 Tax Map

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 434-3610

JOHN D. SEYFFERT
DIRECTOR

April 24, 1979

Mr. S. Eric DiSenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiSenna:

Comments on Item # 218 Zoning Advisory Committee Meeting, April 24, 1979 are as follows:

Property Owner: John C & Marilyn A. Bergman
Location: W/S Ruxlea Court 230' N. Ruxton Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a rear setback of 24' in lieu of the required 40'.

Acres: 0.2984
District: 9th

The items checked below are applicable:

1A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, and other applicable codes.

1B. A building permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

1E. Three sets of construction drawings MAY be required to file an application for a building permit.

F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

I. No Comment.

J. Comment:

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

GEN:rrj

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 434-3211

John D. Seyffert
DIRECTOR

July 12, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #218, Zoning Advisory Committee Meeting, April 24, 1979, are as follows:

Property Owner: John C. and Marilyn A. Bergman
Location: W/S Ruxlea Court 230' N. Ruxton Road
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a rear setback of 24' in lieu of the required 40'.
District: 9th
Acres: 0.2984

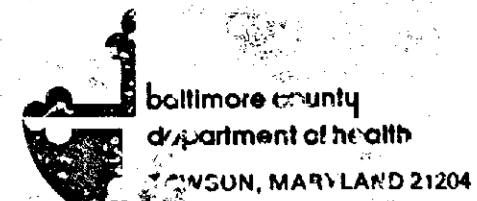
This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner-III
Current Planning and Development

OCT 01 1979



DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 7, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 218, Zoning Advisory Committee meeting of
April 24, 1979, are as follows:

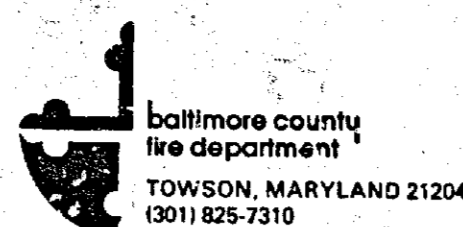
Property Owner: John C. & Marilyn A. Bergman
Location: W/S Ruxlea Ct. 230' N. Ruxton Rd.
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit a rear setback of 24'
in lieu of the required 40'
Acres: 0.2984
District: 9

Metropolitan water and sewer exist, therefore the proposed
garage should not present any health hazards.

Very truly yours,

Jan J. Forrest
Jan J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

1JF/JRP:ph &



Paul H. Reincke
CHIEF

May 21, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodali, Chairman
Zoning Advisory Committee

Re: Property Owner: John C. & Marilyn A. Bergman

Location: W/S Ruxlea Ct. 230' N Ruxton Rd.

Item No. 218

Zoning Agenda Meeting of 4/24/79

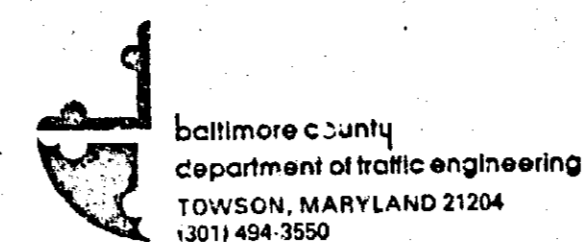
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this
Bureau and the comments below marked with an "x" are applicable and required to
be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be
located at intervals of _____ feet along an approved road in
accordance with Baltimore County Standards as published by the
Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Pro-
tection Association Standard No. 101 "Life Safety Code", 1976
Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

Reviewed: *at P. 10/11*
Planning Group
Special Inspection Division

Noted and
Approved: *George M. Hegardt*
Fire Prevention Bureau



STEPHEN E. COLLINS
DIRECTOR

July 5, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comments about item numbers 213, 218,
219, 221, 222, and 223.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/mjm

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 23, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: April 24, 1979

RE: Item No: 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

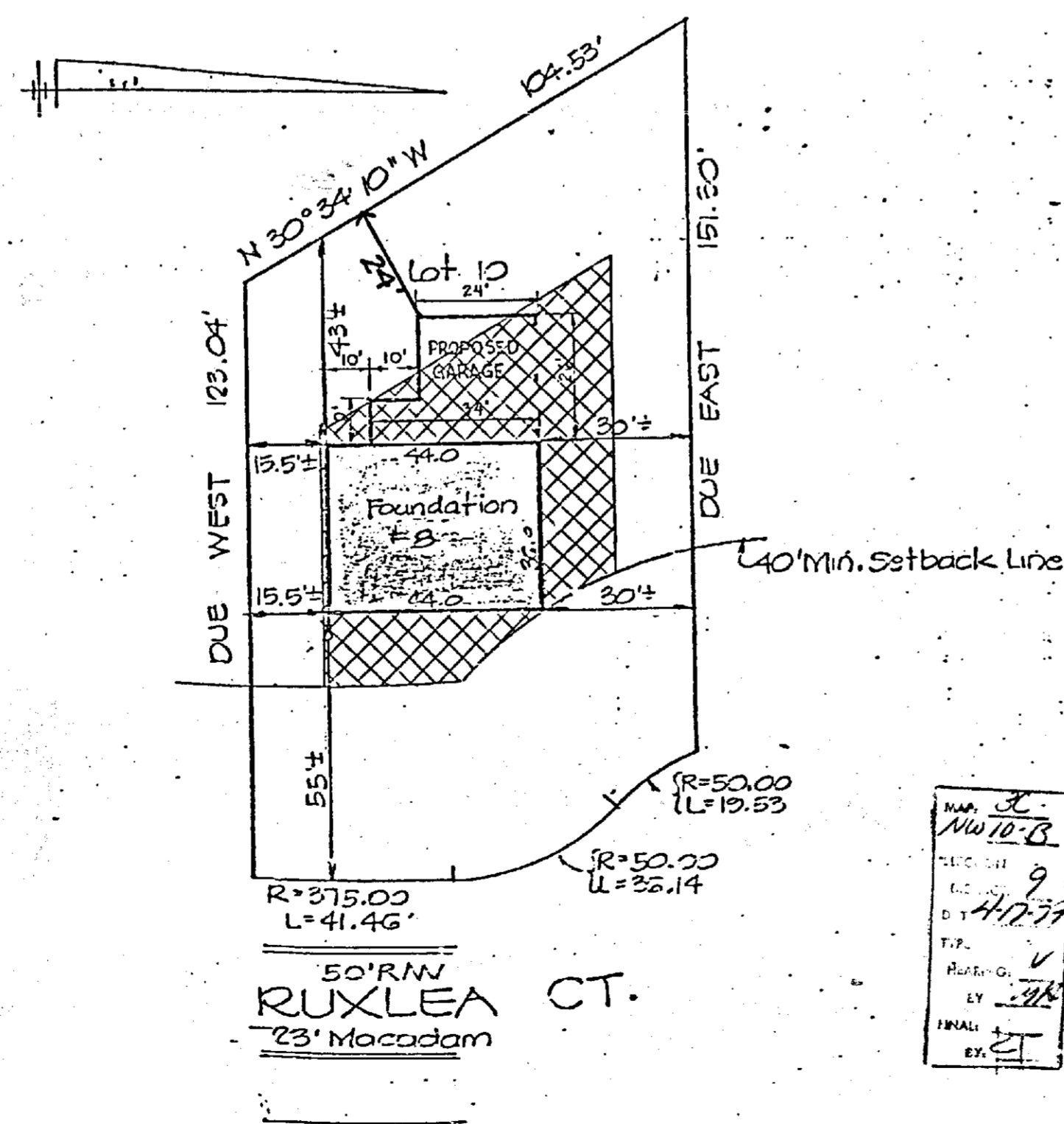
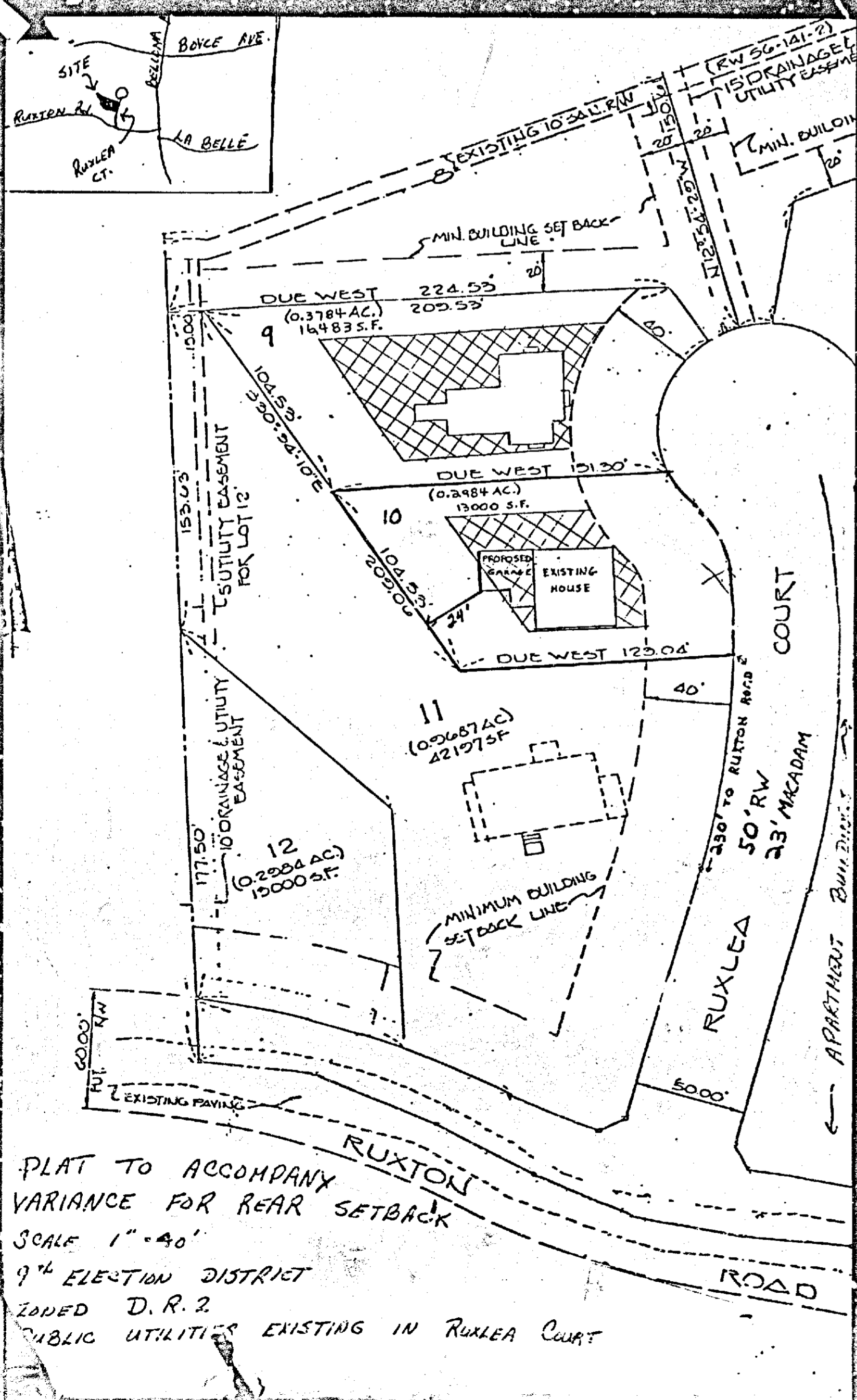
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP/bp

JOSEPH M. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROTZARSIS

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUS
ROGER S. HAYDEN
ROBERT V. DUBEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.



CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE 9th DISTRICT

ZONING: Petition for Variance for rear yard setback

LOCATION: West side of Ruxlea Court, 230 feet north of Ruxton Road

DATE & TIME: Tuesday, July 24, 1979 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for a Variance to permit a rear yard setback of 24 feet in lieu of the required 40 feet

The Zoning Regulation to be excepted as follows:

Section 1801.2.C.4 - rear yard setback

All that parcel of land in the Ninth District of Baltimore County

Beginning on the West side of Ruxlea Court approximately 230' North of Ruxton Road and known as Lot #10 as shown on Plat of Ruxton Woods, which is recorded in Liber 37 Folio 83. Also known as #8 Ruxlea Court.

Being the property of John C. Bergman, et ux, as shown on Plat

plan filed with the Zoning Department.

Hearing Date: Tuesday, July 24, 1979 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order Of

WILLIAM E. HAMMOND,

Zoning Commissioner

of Baltimore County,

July 5, 1979

TOWSON, MD., July 5, 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once each~~ once ~~at one time~~ successive weeks before the 24th day of July, 1979, the 1st publication appearing on the 5th day of July, 1979.

THE JEFFERSONIAN,
L. Frank Shuster
Manager.

Cost of Advertisement, \$ _____

PETITION FOR VARIANCE 9th District

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Hearing Date: Tuesday, July 24, 1979 at 10:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order Of

WILLIAM E. HAMMOND,

Zoning Commissioner

of Baltimore County,

To July 5, 1979



TOWSON, MD. 21204 July 5 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - John C. Bergman, et ux was inserted in the following:

- | | |
|--|--|
| <input type="checkbox"/> Catonsville Times | <input type="checkbox"/> Towson Times |
| <input type="checkbox"/> Dundalk Times | <input type="checkbox"/> Arbutus Times |
| <input type="checkbox"/> Essex Times | <input type="checkbox"/> Community Times |
| <input type="checkbox"/> Suburban Times East | <input type="checkbox"/> Suburban Times West |

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 6th day of July, 1979, that is to say, the same was inserted in the issues of July 5, 1979.

STROMBERG PUBLICATIONS, INC.

BY *Epiter Burger*

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting July 6, 1979
Posted for: PETITION FOR VARIANCE
Petitioner: JOHN C. BERGMAN, et ux
Location of property: W/S OF RUXLEA COURT, 230' N OF RUXTON ROAD
Location of Signs: FRONT # 8 RUXLEA COURT
Remarks: _____
Posted by *Thomas L. Hennessey* Signature Date of return: July 13, 1979

1-SIGN

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 2 day of

Apr. 1979. Filing Fee \$ 25. Received ☒ Check
Cash
Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Bergman Submitted by J. O'Connor

Petitioner's Attorney Hennessey Reviewed by MDL

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

| FUNCTION | Wall Map | | Original | | Duplicate | | Tracing | | 200 Sheet | |
|---|---|----|----------|----|-----------|----|---------|----|-----------|----|
| | date | by | date | by | date | by | date | by | date | by |
| Descriptions checked and outline plotted on map | | | | | | | | | | |
| Petition number added to outline | | | | | | | | | | |
| Denied | | | | | | | | | | |
| Granted by ZC, BA, CC, CA | | | | | | | | | | |
| Reviewed by: <i>MDL</i> | Revised Plans: Change in outline or description <input type="checkbox"/> Yes <input type="checkbox"/> No | | | | | | | | | |
| Previous case: <u>—</u> | Map # <u>—</u> | | | | | | | | | |

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No 78750

DATE June 26, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM: Thomas L. Hennessey, Esq.

FOR: Posting and Advertising of Case No. 80-16A

338524426

25.00 MSC

VALIDATION OR SIGNATURE OF CASHIER

